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From: O'Brien, Elisabeth (DPH)
Sent: Friday, June 24, 2011 9:50 AM
To: Nassif, Julianne (DPH); Salemi, Charles (DPH)
Subject: FW: SCT opinions: More on Crawford (Bulcoming); more on agreed upon pleas (Freeman)

FYI

From: Wortmann, John (USAMA) [John.Wortmann@usdoj.gov]
Sent: Friday, June 24, 2011 8:17 AM
To: O'Brien, Elisabeth (DPH)
Subject: FW: SCT opinions: More on Crawford (Bulcoming); more on agreed upon pleas (Freeman)

Elisabeth—I thought you guys would be interested in seeing the Bullcoming right away.

In *Bulcoming*, forensic lab results were authenticated by an analyst acquainted with the lab's procedures, but who did not perform the actual analysis or prepare the report. The Court held “that surrogate testimony of that order does not meet the constitutional requirement. The accused's right is to be confronted with the analyst who made the certification, unless that analyst is unavailable at trial, and the accused had an opportunity, pretrial, to cross-examine that particular scientist.”